

REMARKS

Claims 1-6 have been examined.

I. Rejections under 35 U.S.C. § 103(a) in view of U.S. Patent No. 6,325,607 to Atake (“Atake”) (assigned to Dai Nippon Printing Co., Ltd. and same inventive entity) and JP 05-278065 to Yamazaki (“Yamazaki”)

The Examiner has rejected claims 1-6 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Atake in view of Yamazaki.

A. Claim 1

Claim 1 recites, “a clamper for pressing and fastening said sheet on a flat parting surface of said female mold” and “said clamper comprises a pushing frame that abuts on said parting surface of said female mold via said decorative sheet when said decorative sheet is pressed and fastened, and at least one connecting member that extends from said pushing frame, said connecting member being connected to means of driving said pushing frame, wherein: said clamper is formed in such a shape that, said connecting member is spaced apart from said parting surface when said pushing frame is in abutment with said parting surface of said female mold, such that there is established a space between said connecting member and said parting surface in which said clamping devices pass therethrough.”

Atake discloses a foil-decorating injection molding apparatus including a male mold 25, a female mold 12, a transport chuck 5 including clamping devices 60 and a clamper 20. The Examiner refers to Figure 5 of Atake and again maintains that the space formed by recess 21 of

the clamper 20 discloses the claimed space (see annotated Fig. 5 on pg. 5 of December 6, 2010 Office Action).

In the September 30, 2010 Amendment, Applicant argued that the claimed space is formed between the connecting member of the clamper and the parting surface of the female mold. The Examiner maintains that the parts around the rectangular frame of the clamper 20 of Atake form the claimed connecting member. As shown in Figure 2 of Atake, the clamper 20 has a rectangular frame and includes extensions that extend from the rectangular frame that connect to the driving rods (i.e., means of driving the pushing frame). Also shown in Figure 2 is that the extensions extending from the rectangular frame of the clamper 20 are set off to the side of the guide groove 36 of the female mold 12. Returning to Figure 5 of the reference, the alleged space of Atake, which comprises the recess 21, is provided in a position that opposes the guide groove 36. Thus, Applicant argued that the Examiner's alleged space (i.e., recess 21) is not provided in the position as claimed (see September 30, 2010 Amendment). In other words, the space is not provided in between the extensions extending from the rectangular frame of the clamper 20 and the parting surface of the female mold 12. Rather, the recess 21 appears to follow along the outwardly curved section of the rectangular frame of the clamper 20 in a manner that it opposes the guide groove 36.

Additionally, in the September 30, 2010 Amendment, Applicant noted that in Figure 5 of Atake, a small space is formed between the female mold 12 and the clamper 20 at a position provided to the left of the recess 21. Although unclear, it is possible that at least some of the portion to the left of the recess 21 is provided along the alleged connecting member portion of

the clamper 20. Nevertheless, Applicant argued that such space does not establish any room for the clamping device 60 to pass therethrough, and therefore fails to disclose the claimed space.

In the December 6, 2010 Final Office Action, the Examiner responds to the above arguments by maintaining that claim 1 does not clearly define the connecting member as extending off from a rectangular frame, such that the entire clamper 20 of Atake can be considering part of a “connecting member” (pgs. 8 and 9 of Office Action). Accordingly, the Examiner maintains that contrary to the assertions of Applicant, the connecting member and the parting surface of Atake form a space which allows a clamping device to pass therethrough.

Applicant traverses the Examiner’s assertion. Nevertheless, to expedite prosecution, Applicant hereby amends claim 1 to further clarify the claimed connecting member. Atake clearly fails to teach or suggest the claimed feature.

Furthermore, on page 9 of the December 6, 2010 Final Office Action, the Examiner states that even if Atake does not teach a space, the newly cited Yamazaki reference does. The Examiner’s specific rejection with regard to Yamazaki is set forth on page 6 of the Office Action. Yamazaki is directed toward clamping a painting film onto a mold. The Examiner refers to Figure 4 of the reference.

Applicant traverses the Examiner’s assertion. Yamazaki does not mention the transfer direction of the painting film 2 (or decorative sheet), and it is unclear, in Figure 3, whether the film comes in and out in an up-and-down direction or in a perpendicular direction. Thus, Yamazaki does not anticipate clamping devices, by which both side edges of the film, passing through the space between the connecting member 30A and the parting surface 13.

Furthermore, paragraph [0018] of Yamazaki, as translated, is as follows:

Each clamp member piece 30 is composed in a manner that it is moved independently to clamp the painting film 2 onto the surface of the metallic mold All and is combined with others to form a clamping frame member of the four clamp members fixed. A combined portion of clamp member pieces may have a gap. However, this gap must not be the one which loses sealing nature between the painting film 2 and the parting surface 13.

As is clear from the above paragraph, the gap in Yamazaki maintains the sealing nature between the painting film 2 and the parting surface 13. Also, the member 30B, upon which the alleged connecting member 30A contacts, is stationary or fixed to the mold. Thus, the gap fails to disclose the space between the connecting member and the parting surface of the present invention, nor does the gap anticipate such a space. As set forth above, the clamping devices of Atake are formed to travel in an *internal* track. There is no rational reason why one skilled in the art would be motivated to modify the configuration of Atake by the *external* clamping of a *fixed* member, i.e., 30B, as shown in Yamazaki.

At least based on the foregoing, Applicant submits that claim 1 is patentable over the cited references.

B. Claims 2-4

Applicant submits that claims 2-4 are patentable at least by virtue of their dependency.

C. Claims 5 and 6

Since claims 5 and 6 contain features that are analogous to the features discussed above regarding claim 1, Applicant submits that claims 5 and 6 are patentable for at least analogous reasons as claim 1.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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